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Attorney Docket No. 1579.1006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Shigeharu KANEMOTO et al.

Application No.: 10/649,617

Group Art Unit: 1761

Confirmation No.: 5294

Filed: August 28, 2003

Examiner: Anthony Weier

For: METHOD OF AND APPARATUS FOR PROCESSING POLISHED RICE

**RESPONSE TO RESTRICTION REQUIREMENT**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed March 1, 2005, applicants elect Claims 7-11 of Group II.

Applicants respectfully traverse the rejection.

MPEP §803 sets forth the criteria for restriction between patentably distinct inventions. (A) indicates that the inventions must be independent (see MPEP §802.01, §806.04, §808.01) or distinct as claimed (see MPEP §806.05-806.05(i)); and (B) indicates that there must be a serious burden on the Examiner if restriction is required (see MPEP §803.02, §806.04(a)- §806.04(i), §808.01(a) and §808.02). The Examiner has not set forth why there would be a serious burden.

By way of example, it is noted that independent claim 7 recites moisture adding means for adding moisture to the polished rice to soften grain surfaces thereof. Unelected independent claim 1 recites adding moisture to the polished rice to soften grain surfaces thereof. As another example, independent claim 7 recites mixing/stirring means for mixing and stirring starchy granular material heated to have temperature not less than 60°C with the polished rice moistened by said moisture adding means so that bran stuck on the grain surfaces of the polished rice is captured by the starchy granular material and removed. Unelected independent claim 1 recites mixing and stirring starchy granular material heated to have temperature not less



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than 60°C with the moistened polished rice so that bran stuck on the grain surfaces of the polished rice is captured by the starchy granular material and removed.

Thus, it is respectfully submitted that there would not be a serious burden on the Examiner and withdrawal of the restriction requirement is requested.

If there are any further questions or concerns, please contact the undersigned.

Respectfully submitted,

STAAS & HALSEY LLP

Date: April 1, 2005

By: 

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